Public (Services) (1947) Department

MS SERIES.

G.O. No. 2877

Dated 16-9-47

[Despatch Abstract.]

Public Services - Communal Rule - Applications to whenever new posts are created - Instructions issued.

Public (Services) Department.

U.O.Note No.2194/47-2 dated 1-9-1947.

Public Services - Recruitment - Communal representation.

Departments of the Secretariat are informed that whenever they sanction a new class of posts, for example, posts in connection with Prohibition, Rural or Firka Development etc., they should specifically consider the question whether recruitment to that class of posts should be made on communal basis or not. If they consider that recruitment should be made on communal basis a rule should be issued applying General Rule 19(a) or 19(b) to recruitment to those posts. If in any case it would take time to issue statutory rules or if the posts in question are to be kept outside the scope of statutory rules, a direction should be issued immediately applying the principals set out in the General rule mentioned above to recruitment to those posts - Before taking a decision on the question whether or not recruitment to a particular class of posts should be made on communal basis, Departments are requested to let this department see the connected files before circulation.

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28-7-47

To the Departments of Secretariat.

Recruitment to posts of Rural Recreation Officers sanctioned in connection with ameliorative work arising out of prohibition is not made on communal basis. Recently 120 candidates where selected for those posts and only a few muslims were selected. Apparently the reason was that not many Muslim candidates were forthcoming. In that connection the Hon'ble the Finance Minister has made the following observation:-

> "Under some excuse or ~~other~~ other communal G.O. is not adhered to. I want a fresh instruction to go round to M.P. Service Commission, Board of Revenue and other Heads of Departments that Communal G.O. should be strictly adhered to"

2. The position in regard to recruitment to posts and services under this Government on communal basis is ~~as~~ follows:-

It is not in the case of all services and posts in the Province that recruitment is made on communal basis. If recruitment to any service or class of a service is to be made on communal basis a specific provision to that effect should be made in the concerned rules applying the communal rotation method or the communal proportion method. The Communal rotation method is described in General Rule 19(a) and the communal proportion method in General Rule 19(b) In the absence of specific provision to that effect recruitment will be made irrespective of communal considerations.

3. A list of posts to which recruitment is made on a communal basis is put up at flag (Y). In respect of other posts including Rural Recreation Officers, no rule has been issued by the Government that recruitment should be made on communal basis. Hence there was nothing wrong in having made recruitment irrespective of communal considerations. Obviously if sufficient number of candidates from the Muslim community had been available they would have been duly appointed.

4. If in any case the Government have directed that recruitment should be made on communal basis there is no reason to believe that the concerned appointing authority or authorities will go against the direction and make appointments irrespective of communal consideration. It does not therefore appear that any purpose will be served by issuing instructions to Public Service Commission and other Heads of Departments to adhere strictly to the communal G.O. in recruiting candidates to a service or class unless the Government themselves have issued a rule or order applying the communal rule to that service or class. The requirements will perhaps be met by issuing a U.O.Note to the Departments of the Secretariat to the effect that whenever they sanction a new class of posts, they should specifically consider whether recruitment to those posts should be made on communal basis or not. If the Government decide the question in the affirmative then they should issue a rule applying General Rule 19(a) or 19(b). If however it would take time for rules to be issued, they may issue a direction to the effect that pending issue of rules, recruitment should be made either by the communal rotation method prescribed in General Rule 19(a) or Communal proportion method prescribed in General Rule 19(b), according to the circumstances of each case. Before departments take decision in the matter they may also be requested to let this department see the connected files. Subject to approval a draft U.O.Note is submitted for consideration. For orders as to circulation before issue.

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22-7-1947.